

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

ZACHARY THOMAS BARTSCH,

CV 22-80-BU-BMM-JTJ

Plaintiff,

vs.

ORDER

ANGEL HOUSE, ET AL.,

Defendants.

On December 5, 2022, Plaintiff Bartsch, a pretrial detainee proceeding without counsel, filed a proposed civil rights complaint pursuant to 42 U.S.C. § 1983. (Doc. 2.) Magistrate Judge Johnston prescreened the complaint and informed Mr. Bartsch his claims, as plead, violated Rule 8 of the Federal Rules of Civil Procedure. The Court provided Bartsch an opportunity to file an Amended Complaint and was given 30 within which to do so. (*See generally* Doc. 8.) Bartsch was advised that failure to file an amended complaint would result in dismissal of this matter without further notice to him. (*Id.* at 13.)

Bartsch failed to comply with the Court's order. Accordingly, this matter will be dismissed pursuant to Fed. R. Civ. P. 58. *See also Ferdick v. Bonzelet*, 963 F. 2d 1258, 1260-61 (9th Cir. 1992)(holding a court may dismiss an action for failure to comply with any order of the court). Based upon the foregoing, the

Court issues the following:

ORDER

1. Bartsch's complaint (Doc. 2) is DISMISSED.
2. The Clerk of Court is directed to close this matter and enter a judgment of dismissal based upon Bartsch's failure to comply with a court order.
3. The Clerk of Court is directed to have the docket reflect that the Court certifies any appeal of this decision would not be taken in good faith based upon Bartsch's failure to comply with a court order.

DATED this 6th day of February, 2023.



Brian Morris, Chief District Judge
United States District Court